

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MICHAEL BEHAYLO,

Plaintiff,

vs.

THE TOP-FLITE GOLF COMPANY,

Defendant.

CIVIL ACTION NO. 05-30178-MAP

**DEFENDANT  
RULE 16.1 CERTIFICATION**

Pursuant to Local Rule 16.1, the Defendant, The Top-Flite Golf Company, and its counsel, Skoler, Abbott & Presser, P.C., hereby certify that they have conferred with a view to establishing a budget for the costs of conducting the full course of the captioned litigation through trial and have discussed Alternative Dispute Resolution ("ADR") programs and the costs of resolving the captioned litigation through an ADR program.

Respectfully submitted,

  
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BBO #405760

Counsel for Defendant

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Dated: August 31, 2005

  
Peter A. Arturi

General Counsel

The Top-Flite Golf Company

Dated: August 29, 2005